

REMARKS / ARGUMENTS

Claims 1-18 remain pending in this application. No claims have been canceled or added.

Priority

Applicants appreciate the Examiner's acknowledgment of the claim for priority and safe receipt of the priority document.

35 U.S.C. §§ 102 and 103

Claims 1-4, 10 and 17 stand rejected under 35 U.S.C. §102(b) as being anticipated by Zhang (U.S. Patent No. 5,814,529). Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Zhang in view of Tanabe et al (U.S. Patent No. 5,998,838). These rejections are traversed as follows.

In response to Applicants previous argument that the claimed first insulation film and second insulation film have a different shape, the Examiner responds on page 3 of the Office Action by stating that Zhang also discloses first and second insulation films having different shapes since the second insulating film 108 is thicker than the first insulating film 104, citing Fig. 1B. However, the shape referred to by Applicants corresponds to the shape of the insulating films when viewed from an upper substrate. Therefore, the difference in thickness referred to by the Examiner

cannot be said to correspond to the claimed limitation regarding the different shapes of insulating films.

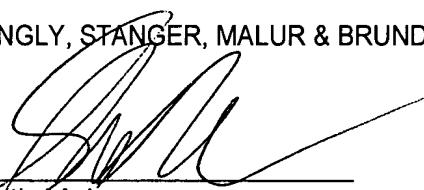
Claim 1 has been amended to clarify this point. The second insulating film has a shape different from the first insulating film as viewed from an upper surface of the substrate. According to Zhang, the first and second insulating films have the same projected pattern since both the first and second insulating films are removed at the time of contact-hole forming. On the other hand, according to the present invention, the second insulating film has a shape different from the first insulating film as viewed from the upper surface of the substrate since only the second insulating film is patterned immediately after it is formed. Therefore, it is submitted that all of the pending claims patentably define the present invention over the cited art.

Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

By 
Shrinath Malur
Reg. No. 34,663
(703) 684-1120